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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/751,190	HENDLER ET AL.
	Examiner	Art Unit
	Haresh Patel	2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _02 July 2004_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-27_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-27_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _7/4/2004, 7/30/2004_
_H.P._

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-27 are presented for examination.

Specification

2.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

The present title is not sufficient for proper classification of the claimed subject matter.

Response to Arguments

3.   Applicant's arguments filed 7/2/04 have been fully considered but they are not

persuasive. Therefore, rejection of claims 1-27 is maintained.

Applicant argues (1) Rodriguez has absolutely nothing to do with streaming. The

examiner disagrees in response to applicant's arguments. Rodriguez clearly discloses

communicating any kind of files/data, including archive files, video files, audio files, JAR files,

Zip files and application files, from one system to another system over the Internet. Rodriguez

does not specifically mention about the streaming. However, Streaming is a well-known concept

of communicating files/information over the Internet. For example, the applicant cited definition

of "streaming", applicant's arguments filed 7/2/04, Microsoft Computer Dictionary, Fourth ed.,

Microsoft Press, Redmond, Washington (1999). Another example, is attached cited reference,

Java Media Framework, 2.0, API Guide, November 19, 1999, page 4. Therefore the rejection in

maintained as disclosed above.

Applicant argues (2) Rodriguez and Coulouris do not disclose "audio and video streaming that allows the client to present information without waiting for the entire stream to arrive at the client application". The examiner disagrees in response to applicant's arguments. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies "audio and video streaming that allows the client to present information without waiting for the entire stream to arrive at the client application" are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Therefore the rejection in maintained as disclosed above.

Applicant argues (3) "it would not be obvious to stream an archive file from a server to a client, where the archive file includes executable modules of a software application, and where this process includes constructing another archive file at the client from the streamed modules". The examiner disagrees in response to applicant's arguments. Rodriguez clearly discloses communicating any kind of files/data, including archive files, video files, audio files, JAR files, Zip files and application files, from one system to another system, including server to client, over the Internet. Rodriquez also teaches constructing another archive file at the client from the streamed modules (e.g., use of automatic launch of ZIP utility software to create an archive file at client, figure 3). Rodriguez does not specifically mention about the streaming. However, Streaming is a well-known concept of communicating files/information over the Internet. For example, the applicant cited definition of "streaming", applicant's arguments filed 7/2/04, Microsoft Computer Dictionary, Fourth ed., Microsoft Press, Redmond, Washington (1999).

Another example, is attached cited reference, Java Media Framework, 2.0, API Guide,

November 19,1999, page 4. Therefore the rejection in maintained as disclosed above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 11, 12, 20, 24 and 27, are rejected under 35 U.S.C. 103(a) as being

unpatentable over Rodriguez et. al. 6,427,149 (Hereinafter Rodriguez) in view of Java Media

Framework API Guide, November 19, 1999, JMF 2.0 FCS, Sun Microsystems, pages 1-71,

(Hereinafter JMF-Sun).

5. As per claims 1, 11, 12, 20, 24 and 27, Rodriguez teaches the following:

a method of streaming an archive file from a server to a client device, the method

comprising,

a computer-implemented method of transmitting data in an archive file from a server

device to a client device, the client device comprising an execution environment configured to

provide ones of a collection of logically separate files in a received archive file to an executing

application in an execution-time determined order, the method comprising,

a data storage apparatus comprising instructions to configure a computerized device to,

a data storage apparatus comprising instructions to configure a computer to,

a system for transferring information modules between computers, the system comprising:

at a server, extracting ones of a plurality of modules from a first archive file, extracting ones of a collection of logically separate files from a first archive file, automatically extract a collection of logically separate modules from a first archive file, means for extracting a collection of modules associated with the application from an archive file (e.g., block 47, extract individual compressed files and transmit to client computer at web server, figure 3, the web server extracts only the selected files for transmission to the client computer, abstract);

transmitting the extracted modules from the server to the client device, transmitting the extracted ones of the separate files from the server device to the client device, transmit the extracted modules to a client device, means for transferring the selected sequences from the second computer to the first computer (e.g., The web server responds by executing (47) the file extraction utilities to extract and optionally decompress the selected files from the archive file. Those extracted files are then transmitted (48) to the client computer or network client, where they are saved (49) and/or decompressed (50) by the appropriate software application. The time (45) spent waiting for the transfer to complete using this method is substantially reduced compared to the conventional method as the total data volume to be downloaded is reduced, and as unwanted data is not downloaded at all, col., 5, lines 1- 54),

receiving the streamed modules at the client device, receive archive structure data from another computer, the archive structure data specifying a structure of a first archive file, receive from the other computer ones of the plurality of modules derived from the first archive file; in

accordance with the archive structure data, receiving the streamed files at the client device (e.g.,

block 45, wait for extracted ZIP at a client computer, figure 3);

automatically constructing a second archive file at the client device, the second archive

file comprising the received modules, construct a second archive file from the received ones of

the plurality of modules to produce a second archive file functionally equivalent to the first

archive file, means for receiving a sequence of modules associated with the application and

constructing an archive file, constructing a second archive files at the client device from the

received files (e.g., block 49, save ZIP file and/or launch ZIP utility directly, figure 3); and

providing data from at least one of the received modules in the second archive to an

executing application, means for executing an application, an archive file comprising the

received sequence of modules while the application is executing, means for integrating a first

module in the constructed archive file with the application (e.g., for files which were selected to

be extracted and decompressed by the web server prior to transmission to the client computer,

the proper application program on the client computer which is registered to that file type may be

optionally launched to allow immediate operation on the file after it is received. For example, if

the file is an Apple Quicktime video clip, the proper Apple viewer could be launched. Or, if the

file were a Lotus WordPro word processor document, Lotus WordPro would be launched. The

method of using file name extensions to associate files with and cooperatively launch the

application is well understood in the art, and similar functionality is found in most personal

computer operating systems, col., 5, lines 1- 54).

Rodriguez clearly discloses communicating any kind of files/data, including archive files, video files, audio files, JAR files, Zip files and application files, from one system to another system over the Internet.

Rodriguez does not specifically mention about the concept of streaming.

JMF-Sun teaches streaming and streaming mode (e.g., page 4), the plurality of modules/files including two or more executable modules/files associated with a software application (e.g., streaming modules of plug-ins / applet / java beans, pages 38, 39, 43), said steaming characterized in that at least one of the executable modules is available for execution by the software application on the client device before all others of the executable modules have been downloaded to the client device (e.g., concept of steaming modules, page 4, also concept of prefetching, page 49).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Rodriguez with the teachings of JMF-Sun to facilitate a communication mechanism to transfer the data modules from one computer to the another. The motivation would be obvious because streaming is supported by buffering data, which enables the sender to get ahead of the recipient, as suggested by JMF-Sun.

6.   Claims 2, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez and JMF-Sun in view of Bittinger et. al. 6,148,340 (Hereinafter Bittinger).

7.   As per claims 2, 21 and 22, Rodriguez teaches the following:

the first archive file (e.g, ZIP file),

zip file modules (e.g., including a header section (2), the compressed data blocks (3), and a tail section (4), col., 2, lines 47 – 65).

However, Rodriguez and JMF-Sun do specifically mention about an end-of-central-directory record and the Java Archive file.

Bittinger teaches the following:

the first archive file is a Java Archive file (e.g., Many software manufacturers make non-applet software available on the world wide web (the Web) in the form of ZIP or self-extracting ZIP archive files. ZIP archive files are container files that have a publicly known architecture. JAR files are actually a subset of the overall ZIP file architecture. The ZIP files can be downloaded directly with a Web browser, but such downloads take a significant amount of time. Some companies have created products that will compare a file with a previous version of the file prior to refreshing the file on the remote computer in an effort to reduce the response time as perceived by the user. An example of such a product is Novadigm's EDM, col., 1, line 55 – col., 2, line 13),

a first one of the streamed modules comprises a ZIP file end-of-central-directory record and the method further comprises allocating storage space at the client device for the second archive based on size information in the end-of-central-directory record, the archive structure data comprises a ZIP file central directory record, and the instructions to construct the second archive file comprise instructions to position the received central directory record in the second archive in accordance with ZIP file format specifications, the instructions to construct in accordance with ZIP file format specifications further comprise instructions to position received ones of the modules in the second archive in an order of receipt of the modules and instructions

to alter data in the second archive's central directory header to indicate the placement of the ones

of the modules in the second archive (e.g., block 505, central directory record, figure 5, When

processing a JAR or ZIP file, the present invention constructs a catalog from the central directory

and the object headers, each object in the container has a corresponding entry in the catalog

which includes the member name (and path), size, a 32 bit CRC(cyclic redundancy check) of the

object contents as well as the size and CRC of the object header. In the present invention, upon

receiving a container for the first time, the SSI constructs and caches its catalog, col., 3, line 20 –

col., 5, line 35).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Rodriguez and JMF-Sun with the teachings of Bittinger to

facilitate a first data packet containing the information of the number of packets of a transmitted

zip file message. The motivation would be obvious because a central directory header

information is useful to know how many packets needs to be received to construct an achieve file

and to know what size of memory needs to be allocated for the message, as suggested by

Bittinger. The motivation for usage of a JAR file would be obvious because ZIP archive files are

container files that have a publicly known architecture and JAR files are actually a subset of the

overall ZIP file architecture, as suggested by Bittinger.

8.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez,

Bittinger and JMF-Sun in view of Slaughter et. al. 6,643,650 (Hereinafter Slaughter)

9.   As per claim 3, Rodriguez, Bittinger and JMF-Sun do not specifically mention about the

Java Micro Edition execution environment.

Slaughter teaches the following:

the client device comprises a Java Micro Edition execution environment (e.g., In one

embodiment, message capable network layer 106 may be implemented from the networking

classes provided by the Java2 Micro Edition (J2ME) platform, col., 2, line 15 – col., 6, line 55).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Rodriguez, Bittinger and JMF-Sun with the teachings of

Slaughter to facilitate a client device having a Java Micro Edition execution environment. The

motivation would be obvious because the Java2 Micro Edition platform is suitable for devices

that do not have the resources for a full Java platform or in which it would not be efficient to run

a full Java platform. Since J2ME already provides a message capable family of networking

protocols (to support sockets), it follows that for the small footprint cost of adding messaging

layer 104, distributing computing facilities may be provided for small devices that already

include J2ME, as suggested by Slaugher.

10.   Claims 4, 9, 15, 16, 19, 23, 25 and 26 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Rodriguez and JMF-Sun in view of White et. al. 6,230,184 (Hereinafter

White).

11.   As per claims 4, 9, 15, 16, 19, 23, 25 and 26, Rodriguez and JMF-Sun do not specifically

mention about predicting an order of utilization of modules at the client device.

White teaches the following:

the criteria comprises data stored at the first computer in a streaming control database

(e.g., on server 751 in data store 775, figure 7),

receiving a request at the first computer from the second computer (e.g., When a client

computer issues a request to server 751 for the optimized program 725 the optimized file 730 is

sent first through the network 760, figure 7),

modifying the predictive data stored in the streaming control database based on the

request, streaming in accordance with predetermined criteria predicting an order of utilization of

modules at the client device, processing a request from the executing application to access a file

in a first one of the modules: and determining if the first module is present in the second archive;

sending streaming control data to the server to request the first module when the first module is

not present in the second archive, and streaming the first module from the server to the client

device in response to receipt of said streaming control data at the server, ordering the separate

files extracted from the archive file based on criteria predicting an order of utilization of the

separate files at the second computing device; and streaming the separate files from the first

computer to the second computer in accordance with the ordering, receiving a first module in the

module set while an application is executing; storing the first module on local storage media at

the second computer; and wherein the method further comprises integrating the first module with

the executing application, process a request from an executing application to access data in a first

one of the modules; determine if the first module is present in the second archive; send control

data to the other computer to request the first module when the first module is not present in the

second archive (e.g., Optimally Executing a Computer Program, Embodiments of the invention

can be used to automatically determine the files needed to optimally execute a computer program

until a desired state is reached. In one embodiment, the invention automatically creates an

optimized file containing the files that are necessary for the computer program to reach the

desired state. Creating an optimized file is useful, for example, when a computer program is transported across a network to another computer where it is then executed. In one embodiment of the invention, the files needed to execute the computer program to a desired state are sent across the network to a client computer in the optimized file. The desired state may be, for example, the point at which the computer program is capable of receiving user input. Once the files contained in the optimized file are received, the client computer can execute the program to the desired state without waiting for the remaining files used during the execution of the program to be transmitted across the network. Since the program can begin execution before all the files that comprise the computer program are received, the amount of time required to start the program is reduced, col., 9, lines 21 – 44).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Rodriguez and JMF-Sun with the teachings of White to facilitate a predicting mechanism to provide necessary data packets at the client device. The motivation would be obvious because the server can send the necessary files required to the client using automatic determination mechanism. This would avoid not sending unnecessary files to the client and would help optimally execute a computer program, as clearly suggested by White.

12.   Claims 5-8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez and JMF-Sun in view of Bittinger, White and "Official Notice".

13.   As per claims 5-8, Rodriguez teaches the following:

        the first archive file (e.g, ZIP file),

zip file modules (e.g., including a header section (2), the compressed data blocks (3), and

a tail section (4), col., 2, lines 47 – 65).

However, Rodriguez and JMF-Sun do specifically mention about the Java Archive file.

Bittinger teaches the following:

the first archive file is a Java Archive file (e.g., Many software manufacturers make non-

applet software available on the world wide web (the Web) in the form of ZIP or self-extracting

ZIP archive files. ZIP archive files are container files that have a publicly known architecture.

JAR files are actually a subset of the overall ZIP file architecture. The ZIP files can be

downloaded directly with a Web browser, but such downloads take a significant amount of time.

Some companies have created products that will compare a file with a previous version of the

file prior to refreshing the file on the remote computer in an effort to reduce the response time as

perceived by the user. An example of such a product is Novadigm's EDM, col., 1, line 55 – col.,

2, line 13).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Rodriguez and JMF-Sun with the teachings of Bittinger to

facilitate an achieve file containing compressed files. The motivation for usage of a JAR file

would be obvious because ZIP archive files are container files that have a publicly known

architecture and JAR files are actually a subset of the overall ZIP file architecture, as suggested

by Bittinger.

Rodriguez, Bittinger and JMF-Sun do specifically mention about the other details of the

client computer and usage of digital signature to validate received files.

White teaches the following:

a first one of the streamed modules comprises a Java class file (e.g., figure 3, distribution

program consisting of multiple files sent to the client using achieve file, col., 7, lines 1-63),

the executing application comprises a Java application (e.g., A program written in Java

that executes without the aid of a web browser is called a Java application, col., 1, line 6 – col.,

7, line 30) and

providing data from at least one of the stored file to the executing application comprises

dynamically loading the Java class file for access by the Java application (e.g., When a program

is loaded using a standard "class loader" the contents of the files that are loaded to run the

application are stored in a hash table. The standard "class loader" checks the hash table before it

loads a new file. If the file name is already in the hash table it is not loaded. This prevents

loading duplicate versions of the same file, It should be apparent to one skilled in the art that the

files placed into the optimized file or any other type of file can be any of the files used by the

program during execution. Further, the desired state of the computer program can be defined to

be any point during the execution of the computer program, col., 4, line 15 – col., 8, line 25),

at least one of the modules in the Java Archive file comprises Java Archive meta

information comprising an identification of files in other ones of the modules; and the method

further comprises streaming the meta- information from the server to the client device and

validating a file in a received modules using the meta-information, validating comprises

comparing a file name and path associated with a file received in a streamed module to a file

name and path specified in the meta- information, the meta-information comprises a first digital

signature and the method further comprises: computing a second digital signature based on data

in a first one of the received modules; and comparing the second digital signature to the first

digital signature to determine validity of a file received in a streamed module, (e.g., At step 906, optimizor 750 obtains a manifest file. In one embodiment of the invention, the manifest file is placed in a directory called META-INF. The manifest file may also include other arbitrary information. At step 907, the optimizor 750 determines whether it is desirable to digitally sign the files listed in intermediate file 723. If the optimizor determines to digitally sign a file, step 908 is executed and information about the digital signature is placed into the directory named META-INF. In one embodiment of the invention, step 909 is also executed and the digital signature information is placed in the manifest file. Otherwise, the optimizor 750 proceeds to step 910 where all the files listed in intermediate file 723 are combined into a single file called the optimized file 730. Once these steps are complete the optimizor 750 outputs the optimized file 730 to a storage medium, col., 9, line 23 – col., 10, line 47).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Rodriguez, Bittinger and JMF-Sun with the teachings of White to facilitate a Java environment at the client computer and a mechanism to validate received files using digital signature. The motivation would be obvious because unlike many programming languages, in which a program is compiled into machine-dependent, executable program code, programs written in the Java programming language are compiled into machine-independent bytecode classfiles. Each classfile contains code and data in a platform-independent format called the classfile format. The computer system acting as the execution vehicle contains a program called a virtual machine, which is responsible for executing the bytecode. The virtual machine provides a level of abstraction between the machine-independent bytecode classes and the machine-dependent instruction set of the underlying computer hardware. Virtual machines

exist for a variety of different operating systems. A "class loader" within the virtual machine is responsible for loading the bytecode classfiles as needed, and either an interpreter executes the bytecodes directly, or a "just-in-time" (JIT) compiler transforms the bytecodes into machine code, so that they can be executed by the processor, as suggested by White. The JAR format is a set of conventions for associating digital signatures, and other information with the files held in the JAR file. Hence, implementation of the digital signature would help a client to utilize a received JAR file, as suggested by White.

Rodriguez, Bittinger, White and JMF-Sun do not specifically mention about minor details of the digital signature implementation, i.e., computing of the digital signature. "Official Notice" is taken that both the concept and advantages of providing the specific way of computing of the digital signature is well known and expected in the art and would be an obvious design choice to include specific way of computing digital signature.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include minor details of the way the digital signature is calculated with the teachings of Rodriguez, Bittinger, White and JMF-Sun to facilitate validating of received files. The JAR format is a set of conventions for associating digital signatures, and other information with the files held in the JAR file. Hence, implementation of the digital signature would help a client to utilize a received JAR file, as suggested by White.

14.   Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez, JMF-Sun and White in view of "Official Notice".

15.   As per claim 10, Rodriguez, White and JMF-Sun do not specifically mention about

interrupting streaming of another one of the modules.

        "Official Notice" is taken that both the concept and advantages of providing interruption

of streaming of another one of the modules is well known and expected in the art.

        It would have been obvious to one of ordinary skill in the art at the time the invention

was made to include interruption of streaming of another one of the modules with the teachings

of Rodriguez, White and JMF-Sun to facilitate stopping of the current transmission of the data

being sent and to send the newly requested data needed by the client device. This would help to

not send unwanted data from server to the client.

16.   Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez and

JMF-Sun in view of Schmidt et al 6,535,894.

17.   As per claim 13, Rodriguez and JMF-Sun do not specifically mention that the second

archive file comprises a different arrangement of the streamed files than in the first file.

        Schmit teaches the following:

        the second archive file comprises a different arrangement of the streamed files than in the

first file, said different arrangement being functionally equivalent to an arrangement of files in

the first archive file (e.g., According to aspects of the present invention, an original archive file

having one or more entries is created, where each entry in the original archive file is itself a file,

and where each entry in the archive file may comprise any file type, including an archive file.

The original archive file is transmitted to a client computer. Subsequently, a target archive file is

created, wherein one or more of the entries in the target archive file are typically expected to be

identical to one or more entries in the original archive file. Given the original archive file and the target archive file, a difference archive file is created. The difference archive file comprises an index file describing the changes between the original archive file and the target archive file, and also comprises a set of entries corresponding to the entries in the target archive file that are not contained in the original archive file. The difference archive file is transmitted to the client computer, instead of requiring that the entire target archive file be transmitted. At the client computer, the difference archive file is applied to the original archive file to produce a synthesized archive file, wherein the synthesized archive file is functionally identical to the target archive file, and wherein each entry in the synthesized archive file is identical to a corresponding entry in the target archive file, abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Rodriguez and JMF-Sun with the teachings of Schmit to facilitate a mechanism to construct the archive file contents from the streamed files similar to the original archive file contents. The file contents of the constructed archive file necessary for the client device would support the client application regardless of the arrangement of the files in the archive.

18.   Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez and JMF-Sun in view of "Official Notice".

19.   As per claim 14, Rodriguez teaches the following:

the first archive comprises non-executable data and executable program code (e.g.,

archive file to be viewed prior to downloading any compressed data, such that individual files

can be selected and downloaded, col., 2, line 25 – col., 3, line 28).

However, Rodriguez and JMF-Sun do specifically mention about the first archive

comprises at least one file comprising non-executable data and at least one file comprising

executable program code. "Official Notice" is taken that both the concept and advantages of

providing one file comprising non-executable data and at least one file comprising executable

program code is well known and expected in the art and would be an obvious design choice to

include just one file comprising non-executable data and at least one file comprising executable

program code.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to include just one file comprising non-executable data and at least one file comprising

executable program code with the teachings of Rodriguez and JMF-Sun to facilitate a

combination of one file comprising non-executable data and at least one file comprising

executable program code. An archive file containing whatever files needed by the user would be

transmitted to the user, as suggested by Rodriguez.

20.   Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rodriguez, White and JMF-Sun in view of Kodialam and Patel et al. Pub. No. US 2002/0157089

A1, Oct. 24, 2002 (Hereinafter Patel).

21.   As per claims 17 and 18, Rodriguez, White and JMF-Sun do not specifically mention

about transition records associating weighted values with execution transitions between selected

files in the collection.

Patel teaches the following:

transition records associating weighted values with execution transitions between

selected files in the collection (e.g., First of all, frequently used file blocks can be streamed to the

client machine before other less used file blocks. A frequently used file block is cached locally

on the client cache before the user starts using the streamed application for the first time. This

has the effect of making the streamed application as responsive to the user as the locally installed

application by hiding any long network latency and bandwidth problems, paragraph, 0307).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Rodriguez, White and JMF-Sun with the teachings of

Patel to facilitate streaming base on most frequently files that are used by several users. The

motivation would be obvious because it would be beneficial by making the streamed application

as responsive to the user as the locally installed application by hiding any long network latency

and bandwidth problems, as clearly suggested by Patel.

Rodriguez, White, Patel and JMF-Sun do not specifically mention about streaming order

based on a path algorithm.

Kodialam teaches the following:

ordering the separate files comprises ordering based on transition record values,

processing transition record information using a path determination algorithm (e.g., a set of

preferred paths through the network nodes, and may use the weights to calculate the set of

preferred paths. Each preferred path has a minimum total weight between nodes as well as

minimum summed weight through nodes of the path, which is known in the art as shortest-path-

algorithm, col., 1, line 34 – col., 2, line 22).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of Rodriguez, White, Patel and JMF-Sun with the teachings

of Kodialam to facilitate streaming base on the shortest routing path between the communicating

computers. The motivation would be obvious because it would be beneficial by making the

streamed application as responsive to the user as the locally installed application by hiding any

long network latency and bandwidth problems, as clearly suggested by Kodialam.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (703) 605-5234. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached at (703) 305-8498.

The appropriate fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Haresh Patel

September 30, 2004

JOHN FOLLANSBEE
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TECHNOLOGY CENTER 2100